

IC 32-25-9

Chapter 9. Actions and Proceedings

IC 32-25-9-1

Compliance with articles, bylaws, covenants, etc.; organization of co-owners

Sec. 1. (a) Each condominium unit owner shall comply with:

- (1) the articles of incorporation or association;
- (2) the bylaws;
- (3) any administrative rules adopted under:
 - (A) the articles of incorporation or association; or
 - (B) the bylaws; and
- (4) the covenants, conditions, and restrictions set forth in:
 - (A) the declaration; or
 - (B) the deed to the owner's condominium unit.

(b) Failure to comply as required under subsection (a) is grounds for an action:

- (1) to recover sums due;
- (2) for damages;
- (3) for injunctive relief; or
- (4) for any other legal or equitable relief;

maintainable by the manager or board of directors on behalf of the association of co-owners or by an aggrieved co-owner.

(c) The association of co-owners may be organized as:

- (1) a nonprofit corporation under:
 - (A) IC 23-7-1.1 (before its repeal August 1, 1991); or
 - (B) IC 23-17; or
- (2) an unincorporated association.

As added by P.L.2-2002, SEC.10.

IC 32-25-9-2

Actions and proceedings

Sec. 2. (a) The board of directors, or the manager with the approval of the board of directors, may bring an action on behalf of two (2) or more of the condominium unit owners, as their respective interests appear, with respect to any cause of action relating to:

- (1) the common areas and facilities; or
- (2) more than one (1) condominium unit.

An action brought under this subsection does not limit the rights of any condominium unit owner.

(b) Service of process on two (2) or more condominium unit owners in any action relating to:

- (1) the common areas and facilities; or
- (2) more than one (1) condominium unit;

may be made on the person designated in the declaration to receive service of process.

As added by P.L.2-2002, SEC.10.